



STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF NURSING

IN THE MATTER OF THE SUSPENSION :	Administrative Action
OR REVOCATION OF THE LICENSE OF :	
:	
Karly N. Rodgers, RN :	FINAL ORDER
License # 26NR15323200 :	OF DISCIPLINE
:	
TO PRACTICE NURSING IN THE :	
STATE OF NEW JERSEY :	

This matter was opened to the New Jersey State Board of Nursing ("Board") upon receipt of information which the Board has reviewed and upon which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Karly N. Rodgers ("Respondent") is a Registered Professional Nurse (RN) in the State of New Jersey and has been a licensee at all relevant times.
2. On or about May 30, 2013, Respondent completed and submitted an online biennial renewal for the period of June 1, 2011 to May 31, 2013.
3. Respondent was asked on the biennial renewal application whether Respondent would have "completed the required continuing education credits by May 31, 2013," referring to the biennial

renewal period of June 1, 2011 to May 31, 2013. Respondent answered "Yes" and certified that answer by submitting the online application.

3. The Board received information that Respondent was arrested on May 4, 2014 by the Delaware River Port Authority of PA & NJ and charged with Disorderly Conduct, Defiant Trespassing and Public Drunkenness. The Board received further information that Respondent was arrested a second time on June 9, 2014, for filing a "False Report to a Law Enforcement Agency" in violation of N.J.S.A. 2C:28-4 (False Report to Law Enforcement).

3. On or about June 30, 2014, the Board sent Respondent a letter of inquiry, to her mailing address in Maple Shade, New Jersey, via regular and certified mail, seeking information regarding her nursing employment, continuing education, and the June 9, 2014 arrest/criminal case. The Certified mailing was returned as "Not Deliverable As Addressed - Unable to Forward." The regular mailing was returned for the same reason.

4. On or about July 21, 2014, the Board sent Respondent an additional letter seeking information regarding the May 4, 2014 incident to her mailing address in Maple Shade, New Jersey, via regular and certified mail. The Certified mailing was returned as "Not Deliverable As Addressed - Unable to Forward."

The regular mailing was returned for the same reason.

5. To date, Respondent has not responded to the Board's request for information.

CONCLUSIONS OF LAW

Respondent's failure to respond to the Board's inquiry constitutes a failure to cooperate with a Board investigation, in contravention of N.J.A.C. 13:45C-1.2 and 1.3, which the Board deems professional misconduct within the meaning of N.J.S.A. 45:1-21(e), and also subjects Respondent to disciplinary action pursuant to N.J.S.A. 45:1-21(h).

Pursuant to N.J.A.C. 13:37-5.3(b), a nurse shall complete a minimum of 30 hours of continuing education per biennial period. Falsification of any information submitted on the renewal application may result in penalties and/or suspension or revocation of license. N.J.A.C. 13:37-5.3(a). Additionally, a nurse shall maintain continuing education compliance documentation for a period of four years after completion of the hours and shall submit such documentation to the Board upon request. N.J.A.C. 13:37-5.3(f).

By virtue of having failed to respond to the inquiry, Respondent is deemed to have failed to demonstrate, to the

satisfaction of the Board, that Respondent completed 30 hours of required continuing education during the June 1, 2011 - May 31, 2013 biennial period. The Board therefore finds Respondent in violation of N.J.A.C. 13:37-5.3, which the Board deems professional misconduct within the intendment of N.J.S.A. 45:1-21(e) and also constitutes a violation or failure to comply with a regulation administered by the Board within the intendment of N.J.S.A. 45:1-21(h).

Respondent also violated N.J.A.C. 13:37-5.7 by failing to notify the Board of a change of address within thirty days of the change. Additionally, Respondent engaged in the use or employment of dishonesty, deception, or misrepresentation within the intendment of N.J.S.A. 1-21(b) by falsely certifying on her renewal application that she had completed the required continuing education when she did not demonstrate that she did so.

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered on October 17, 2014, provisionally suspending respondent's nursing license, and imposing a reprimand and a total of \$1,500 in civil penalties. A copy of the Order was served upon the respondent by certified and regular mail at his address of record. The Provisional Order was subject to

finalization by the Board at 5:00 p.m. on the 30th business day following entry unless respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

Ms. Rodgers replied to the Provisional Order, via her attorney. She has provided the information originally requested by the Board, and demonstrated completion of over thirty (30) hours of nursing continuing education for the 2011-2013 licensing cycle. A review of the submissions indicates that respondent has provided the information originally requested by the Board, and that the suspension, reprimand, and civil penalties imposed pursuant to the Provisional Order are not warranted under the terms of that order, with the exception of the monetary penalty for failure to timely cooperate with the Board's investigation. Inasmuch as the Board first inquired about respondent's conduct in June of 2014, and did not have a response from respondent until her submission of November 14, 2014, this delayed response to the Board's request, and to a second request on July 21, 2014, warrants a monetary

sanction. The Board should not be required to expend time and effort in issuing a public order in order to obtain cooperation from its licensees.

ACCORDINGLY, IT IS on this 23rd day of February, 2015

ORDERED that:

1. A civil penalty in the amount of five hundred dollars (\$500) is hereby imposed upon respondent for the failure to cooperate with a Board investigation). Payment shall be made by certified check or money order payable to the "State of New Jersey," delivered to George Hebert, Executive Director, State of Board of Nursing, P.O. Box 45010, Newark, New Jersey 07101. Payment shall be made no later than fifteen (15) days after the entry of this order. In the event Respondent fails to make a timely payment, a certificate of debt shall be filed in accordance with N.J.S.A. 45:1-24 and the Board may bring such other proceedings as authorized by law.

NEW JERSEY STATE BOARD OF NURSING

By: Patricia Murphy PLD APN
Patricia Murphy, PhD, APN
Board President